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March 2, 2025

The Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10017

RE: *United States v. Charlie Javice and Olivier Amar*, 23 Cr. 251 (AKH)

Dear Judge Hellerstein:

The government informs defense counsel that its first witness of the week will be a representative from Google, Mr. Cory Gaddis. We anticipate that the government will elicit testimony from Mr. Gaddis regarding electronic files found in the Google Drives of Ms. Javice and Mr. Amar and produced to the government in response to a search warrant.¹ We also anticipate that the government will elicit testimony from Mr. Gaddis about “metadata,” collected in “JSON” files – a technical file type that contains data about a document’s origin and who may have viewed and edited the document. Ms. Javice does not dispute the authenticity of the government’s proposed exhibits. We do, at this point, dispute the documents’ relevance if they will be offered through Mr. Gaddis.

The government may authenticate Google Drive documents through Mr. Gaddis but not admit them into evidence.

All that Mr. Gaddis can attest to is that certain electronic files were found in a giant electronic filing cabinet among tens of thousands of other electronic files. While these documents may become relevant if offered and placed in context before a different witness, they should not come in through Mr. Gaddis.

We suggest that Mr. Gaddis may: (1) be shown these documents; (2) authenticate the documents as having come from Ms. Javice’s and Mr. Amar’s Google Drives; and (3) attempt to connect each metadata (JSON) file to its corresponding underlying file – and importantly, explain to the jury what a JSON file is. But the documents cannot be shown to be relevant through Mr. Gaddis and so should not be admitted into evidence until a later witness can demonstrate their relevance.

Ms. Javice has requested that Mr. Gaddis authenticate documents from the same Google Drives.

¹ The government proposes to introduce through Mr. Gaddis the following documents retrieved from the defendants’ Google Drives: GXG072, GXG073, GXG506, GXG507, GXG516, GXG517, GXG520, and GXG521. Ms. Javice has no objection to the admission of GX414.

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Since last Tuesday, Ms. Javice has requested of the government and counsel for Mr. Gaddis that Mr. Gaddis provides the same courtesy to Ms. Javice as he has to the government and confirm the authenticity of several documents located on Google Drives, produced to the government and in turn to the defendants, that Ms. Javice wishes to show to Mr. Gaddis. Ms. Javice will similarly reserve offering those documents into evidence until their relevance can be demonstrated through a percipient witness.² We are hopeful that Mr. Gaddis can and will quickly authenticate these documents without needless waste of time.

Respectfully submitted,



Eóin P. Beirne
Counsel for Ms. Javice

Cc: All Counsel of Record

² Ms. Javice asked that Mr. Gaddis authenticate documents provided to the government and counsel for Mr. Gaddis, marked for identification as CJ-2148, CJ-2149 and CJ-2150.